

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Evelis Otero	Team: Team # 3	CCRB Case #: 201106757	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 05/18/2011 4:55 PM	Location of Incident: West 180th Street and St. Nicholas Avenue	Precinct: 34	18 Mo. SOL 11/18/2012	EO SOL 11/18/2012	
Date/Time CV Reported Wed, 05/18/2011 7:39 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 05/25/2011 1:06 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Fabio Nunez	01432	925839	034 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Fabio Nunez	Force: PO Fabio Nunez struck § 87(2)(b) with an asp.	

Case Summary

On May 18, 2011, § 87(2)(b) filed a complaint via telephone with IAB, generating IAB Log No. 11-22848. The aforesaid complaint was forwarded to the CCRB on May 25, 2011. On May 18, 2011, at approximately 4:55pm, in the vicinity of West 180th Street and St. Nicholas Avenue in Manhattan, § 87(2)(b) fled from an officer, who he identified by name as PO Fabio Nunez of the 34th Precinct, who was attempting to place him under arrest. PO Nunez allegedly struck § 87(2)(b) with an asp, once on his right leg and once on his head. § 87(2)(b) sustained a laceration to his head that required three staples.

A search of BADS revealed arrest number § 87(2)(b) for § 87(2)(b) which confirmed the information listed above. PO Nunez was listed at the arresting officer. § 87(2)(b) was charged with § 87(2)(b). The arrest report indicates that force was used against § 87(2)(b) to restrain, control and remove him.

The arrest report and the IAB log did not list a phone number for § 87(2)(b). The investigator requested the IAB intake CD; § 87(2)(g). Searches were conducted on Whitepages.com and Cole's Directory, which yielded negative results. A search of the NYS DMV Dial-in site revealed another possible address for § 87(2)(b). Searches were conducted on Whitepages.com and Cole's Directory using the address obtained from the NYS DMV Dial-in site, which yielded negative results. A search of Lexis Nexis revealed one possible phone number for § 87(2)(b). The aforesaid number was disconnected. Two letters were mailed to both the address listed on the complaint report and the address obtained from the NYS DMV Dial-in site between the dates of May 28, 2011 and June 20, 2011. The letters were not returned to the CCRB. A search of the NYC DOC Inmate Lookup Service yielded negative results. The investigator contacted § 87(2)(b)'s attorney, § 87(2)(b), of the Manhattan Legal Aid and she stated that she did not want the CCRB to obtain a statement from § 87(2)(b). § 87(2)(b) is aware that the case could be re-opened upon request at the conclusion of the criminal case. § 87(2)(g).

Team: 3

Investigator:	<u>Evelis Otero</u>	<u>07/14/2011</u>
	Signature	Date

Supervisor:	<u></u>	<u></u>
	Title/Signature	Date

Reviewer:	<u></u>	<u></u>
	Title/Signature	Date

Reviewer:	<u></u>	<u></u>
	Title/Signature	Date